

## PROTECTION OF WILDERNESS AREA IN SUPERIOR NATIONAL FOREST

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JUNE 5, 1956.—Committed to the Committee of the Whole House on the State  
of the Union and ordered to be printed

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Mr. COOLEY, from the Committee on Agriculture, submitted the  
following

### R E P O R T

[To accompany H. R. 8657]

The Committee on Agriculture, to whom was referred the bill (H. R. 8657) to amend the act of June 22, 1948 (62 Stat. 568), and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

#### STATEMENT

The purpose of this bill is to authorize the purchase of additional private land holdings within the wilderness area of the Superior National Forest, Minn., to authorize additional appropriations of \$2 million for this purpose, and to extend the provisions of the acquisition act of June 22, 1948, to the lands so acquired. The additional area within which the purchase program may be carried out is described in detail in the bill and comprises some 15,000 acres.

#### THE WILDERNESS AREA

The land of lakes, streams, and forests lying on the United States-Canadian border and comprising the northern part of Superior National Forest, Minn., has long been noted for its natural beauty. In 1930, Congress recognized the value to the Nation of preserving the wilderness character of this unique area and enacted the Shipstead-Nolan Act which provided for maintaining the natural water level of the lakes and streams, restricted the cutting of timber on national forest lands, and prohibited additional settlement in the area. Pursuant to this act an area of about 1 million acres was designated as a "roadless area," in which no permanent roads are to be built, and

about 35 percent of the area was established as a "no cut" area, in which no commercial cutting of timber is permitted on national forest land.

Unfortunately, numerous tracts of land within the wilderness area were in private ownership at the time the area was established. For several years the very wilderness character of the area and the lack of transportation helped to prevent undue exploitation and commercial development of these private holdings. After World War II, however, development of the cargo-carrying airplane made it possible and feasible to transport building materials and other cargo into and out of the area and led to commercial development of private holdings so substantial as to threaten to destroy the unique wilderness character of the area.

To meet this threat, Congress enacted the act of June 22, 1948, authorizing purchase by the Forest Service of private holdings within a designated part of the roadless area and the appropriation of \$500,000 for this purpose. Because of the increase in land values for recreational purposes and the commercial development of private lands which have taken place, the original authorization has proved inadequate to do the job intended. This bill will extend the purchase program to an additional area of about 15,000 acres within the roadless area and authorize an increase in appropriations to \$2.5 million.

#### DEPARTMENTAL APPROVAL

Following is the letter from the Department of Agriculture recommending enactment of the bill and setting out in some detail the need for the legislation:

DEPARTMENT OF AGRICULTURE,  
Washington, D. C., February 9, 1956.

Hon. HAROLD D. COOLEY,  
*Chairman, Committee on Agriculture,  
House of Representatives.*

DEAR CONGRESSMAN COOLEY: This is in reply to your request for a report on H. R. 8657, a bill to amend the act of June 22, 1948 (62 Stat. 568), and for other purposes.

We recommend the enactment of H. R. 8657.

The act of June 22, 1948, to safeguard and consolidate certain areas of exceptional public value within the Superior National Forest, State of Minnesota, and for other purposes, authorizes and directs the Secretary of Agriculture, with the approval of the National Forest Reservation Commission, to acquire any lands or interest in lands situated within a described part of the Superior National Forest, Minn., where in his opinion development or exploitation, or potentialities for development or exploitation, of such lands impair or threaten to impair the unique qualities and natural features of this area. The described land is part of a designated roadless area within the Superior National Forest and is a wilderness canoeing country of outstanding value. Section 6 of the 1948 act authorized the appropriation of not to exceed \$500,000. This sum has been appropriated.

H. R. 8657 would (1) extend the provisions of the act of June 22, 1948, to additional lands, which are also within the roadless area; (2) increase to \$2,500,000 the sum authorized to be appropriated;

and (3) provide that the effective date of application of section 5 of the 1948 act to the lands covered by H. R. 8657 would be as of the close of fiscal year 1959. Section 5 relates to payments to counties in lieu of taxes of three-fourths of 1 percent of fair value of the national forest lands involved.

The Superior roadless area includes about 1 million acres in the northern part of the Superior National Forest. It is an area of lakes, forests, and streams ideally suited for outdoor recreation, and uniquely adapted for canoeing trips under comparatively primitive conditions. In 1955 an estimated 70,000 canoeists used the area in addition to other recreationists.

For several decades efforts have been in progress to preserve and restore the wilderness conditions of this area. The act of July 10, 1930 (46 Stat. 1020) provided for retention by the Government of Federal lands, preservation of timber along lakes and streams, and maintenance of lake and stream levels within a large area, including the present roadless area. The act of June 22, 1948, provided additional authority for purchase of non-Federal tracts in the northerly two-thirds of the roadless area. Reports by this Department on S. 1090 and H. R. 6420, 80th Congress, discuss the background and problems in this area. The Quetico Provincial Park, a similar area managed for generally similar objectives by the Province of Ontario, adjoins on the north.

Although the act of June 22, 1948, did not apply to all of the roadless area, it did include that portion where action to consolidate public ownership was most urgent at the time. However, the part of the roadless area not covered by the 1948 act is equally important to the public and in order to preserve its wilderness qualities the act of June 22, 1948, needs to be extended.

With respect to our recommendation to increase the appropriation authorization, such increase, if implemented, would permit completion of purchases of privately owned lands in the area covered by the 1948 act and also purchases in the additional area covered by H. R. 8657. An increased authorization for the area covered by the 1948 act is necessitated by (1) increases in property values in the area generally, due to a greatly accelerated interest in and use of the lake country of northern Minnesota, and (2) omission in the original estimates of certain properties which now appear desirable.

The substantial investment which the United States already has in the roadless area should be protected and the program of consolidation completed. Property in this area continues to be improved, thus adding to ultimate cost of purchase. Hence, prompt completion of the consolidation program will tend to result in lower total costs than if the program is delayed.

Within the roadless area now covered by the 1948 act there are 24,650 acres in 154 ownerships which should be acquired to meet the purposes of that act; 26 of these ownerships are used for commercial resort purposes, 37 are improved with cabins or other structures, and 91 are unimproved. Within the roadless area not covered by the 1948 act and to which H. R. 8657 would apply there are 96 properties comprising 15,000 acres, of which 5 are used for commercial resorts, 36 have other improvements, and 55 are unimproved. It is estimated that the lands and properties still to be acquired in the roadless area covered by both the 1948 act and H. R. 8657 will require an additional

\$2 million. Accordingly, it is recommended that the appropriation authorization be increased from \$500,000 to \$2,500,000.

With respect to the item in H. R. 8657 regarding national forest receipts: Section 5 of the act of June 22, 1948, provides for payment to the State from national forest receipts, for distribution to counties in which the described lands are situated, of three-fourths of 1 percent of the fair-appraised value of national forest land in the described area; and for reappraisal of such value at 10-year intervals. Such reappraisal will next occur in fiscal year 1959; hence the reason for making the close of fiscal year 1959 the effective date of application of section 5 of the 1948 act to the area covered by H. R. 8657. In the interim, the provisions of the acts of May 23, 1908, and March 1, 1911 (16 U. S. C. 500), which direct payment of 25 percent of the receipts from the national forest to the States, for benefit of schools and roads of the counties where the national forest lands are situated, would continue to apply to this area.

Although the general policy of this Department is not to favor increasing the Federal acreage in national forests, we believe for the reasons stated above that the Superior roadless area is a justified exception to this policy. Enactment of H. R. 8657 therefore is recommended.

The Bureau of the Budget advises that the enactment of this proposed legislation would be in accord with the program of the President.

Sincerely yours,

TRUE D. MORSE,  
*Acting Secretary.*

#### CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman):

[PUBLIC LAW 733—80TH CONGRESS]

[CHAPTER 593—2D SESSION]

[S. 1090]

AN ACT To safeguard and consolidate certain areas of exceptional public value within the Superior National Forest, State of Minnesota and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That to protect and administer more effectively the publicly owned lands within certain parts of the area described in section 1 of the Act approved July 10, 1930 (46 Stat. 1020), and to accomplish certain public purposes explicit and implicit in sections 2 and 3 of said Act, the Secretary of Agriculture is authorized and directed to acquire any lands or interest in lands, and appurtenances thereto, situated within the area described in section 2 of this Act, where in his opinion development or exploitation, or the potentialities for development or exploitation, impair or threaten to impair the unique qualities and natural features of the



remaining wilderness canoe country: *Provided, however,* That under the authority of this Act no contiguous tract of land in one ownership, not exceeding five hundred acres in the aggregate, shall be condemned if at the time of the approval of this Act it is encumbered with a structure or structures of a permanent type suitable for human occupancy and if the owner thereof files written objections before expiration of the time for answering the petition in the proceedings.

SEC. 2. That the authority granted in section 1 of this Act shall be supplemental to the authority granted by existing Acts relating to the acquisition of lands for national-forest purposes and shall not be deemed as repealing any portions of those Acts except as provided hereinafter; and said supplemental authority granted by section 1 of this Act, but not the authority granted by existing Acts, shall be confined to the following described areas in Cook, Lake, and Saint Louis Counties, State of Minnesota:

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SEC. 3. That lands shall be acquired by purchase or condemnation under the supplemental authority granted in section 1 of this Act only with prior approval of the National Forest Reservation Commission created by section 4 of the Act approved March 1, 1911 (36 Stat. 961), as amended, and lands so acquired shall become parts of the Superior National Forest and be subject to the provisions of said Act (36 Stat. 961), as amended, and of such other laws as apply to land acquired under the provisions of said Act (36 Stat. 961), as amended, except as hereinafter provided.

SEC. 4. That upon finding and determination by the Secretary of Agriculture that the public purposes and objectives explicit and implicit in the Act approved July 10, 1930 (46 Stat. 1020), more effectively can be accomplished by exchanging lands of the United States situated within the boundaries described in said Act for other lands in State, county, or private ownership situated within the said boundaries which are more suitable for public ownership, management, and use, for the purposes contemplated by said Act, such lands of the United States shall be subject to exchange under the provisions of the Act of March 20, 1922 (42 Stat. 465), as amended, or the provisions of the Act of March 3, 1925 (43 Stat. 1215).

SEC. 5. That the Secretary of the Treasury, upon the certification of the Secretary of Agriculture, shall pay to the State of Minnesota, at the close of each fiscal year from any national-forest receipts not otherwise appropriated a sum of money equivalent to three-quarters of 1 per centum of the fair appraised value of such national-forest lands as may be situated within the area described in section 2 of this Act at the end of each fiscal year; and the payments made hereunder shall be distributed to each of the three aforesaid counties in conformity with the fair appraised value of such national-forest lands in each county: *Provided,* That the fair appraised value of the lands shall be determined by the Secretary of Agriculture at ten-year intervals and his determination shall be conclusive and final: *Provided further,* That the first payment to the State of Minnesota under the provisions of this section shall not be due until the close of the first full fiscal year after approval of this Act: *And provided further,* That the provisions of the Act of May 23, 1908 (35 Stat. 260), and of

section 13 of the Act of March 1, 1911, as amended (36 Stat. 961; 38 Stat. 441), shall not be applicable to the national-forest lands to which this section applies.

SEC. 6. That there are hereby authorized to be appropriated annually such sums as are necessary to carry out the provisions of this Act: *Provided, however,* That the total appropriations under the authority of this Act shall not exceed **[\$500,000]** \$2,500,000 for the purchase and condemnation of land.

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